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UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

SUNDESA, LLC , a Utah limited liability  
company, and RUNWAY BLUE, LLC, a limited  
liability company,

Plaintiffs,

v.

PERFECTSHAKERS.COM, a Canadian limited  
liability company,

Defendant.

Case No. 2:11-cv-00165-CW-EJF

MOTION TO UNSEAL AND  
STRIKE THE SECOND  
DECLARATION OF STEVE  
SORENSEN

Judge Clark Waddoups  
Magistrate Judge Evelyn J. Furse

Defendant, Perfect Shakers, seeks an Order unsealing and striking the Second Declaration of Steve Sorensen (the "Second Sorensen Declaration"), which was filed under seal by Plaintiffs Sundesa LLC and Runway Blue LLC (collectively "Sundesa") on May 21, 2011 (Dkt. 70).<sup>1</sup>

The Second Sorensen Declaration was filed under seal by designating it "Attorneys' Eyes Only" under a Stipulated Protective Order that is of record in this matter (Dkt. 68).

The Court should unseal the Second Sorensen Declaration for the following reasons:

1. The Second Sorensen Declaration was improperly designated as ATTORNEYS' EYES ONLY. It does not "reveal significant technical or business advantages of the producing party [Sundesa]," which is expressly required by paragraph 3 of the Stipulated Protective Order.
2. No other bases exist for filing under seal.

The Second Sorensen Declaration should be stricken for the following reasons:

1. The Second Sorensen Declaration is surreptitious that was filed without the required leave of the Court.
2. The statements and contentions contained in the Second Sorensen Declaration do not relate to any issue that is currently before the Court.
3. The Second Sorensen Declaration is made up of inadmissible hearsay, unsupported accusations and conclusions, and opinion that Mr. Sorensen is not qualified to render.
4. Even if it were factually sound, the declaration falls short of meeting the legal requirements for the premise it presents.

An award of attorneys' fees is requested in view of Sundesa's improper filing of the Second Sorensen Declaration and related conduct of Sundesa and its counsel.

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<sup>1</sup> This case names Perfectshakers.com as defendant. There is no such legal entity. Perfectshakers.com ("Perfect Shakers") is owned and operated by 1535674 Alberta Inc., a Numbered Alberta Corporation.

Respectfully submitted this 26th day of July, 2012.

CHRISTENSEN O'CONNOR  
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/s/ James W. Anable

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 26th day of July, 2012, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Brett L. Foster (bfoster@hollandhart.com)

Romaine C. Marshall (rcmarshall@hollandhart.com)

/s/ James W. Anable